

No. 68993

AMENDED
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUL 29 2002

Returned to applicant for correction _____

Corrected application filed SEP 30 2002

Map filed SEP 21 1998 under 64369

The applicant **Farm Road LLC**, hereby makes application for permission to change the **Manner of Use and Place of Use** of water heretofore appropriated under **Permit 64369**

1. The source of water is **an underground source**
2. The amount of water to be changed **0.0778 CFS., not to exceed 20 AFA.**
3. The water to be used for **Commercial nursery & Domestic use**
4. The water heretofore permitted for **Irrigation and Domestic Use**
5. The water is to be diverted at the following point **within the NE.¼ NW.¼ (Govt. Lot 3), Section 2, T.17S., R.49E., M.D.M., or at a point from which the S. ¼ corner of Section 35, T.16S., R.49E., M.D.M. bears N. 76°40'05" W., a distance of 239.1 feet**
6. The existing permitted point of diversion is located **within the NE.¼ NW.¼ (Govt. Lot 3), Section 2, T.17S., R.49E., M.D.M., or at a point from which the S. ¼ corner of Section 35, T.16S., R.49E., M.D.M. bears N. 76°40'05" W., a distance of 239.1 feet**
7. Proposed place of use **39 acres within Govt. Lot 3, Section 2, T.17S., R.49E., M.D.M. 10 acres within the NW.¼ SE.¼ NW.¼ of Section 2, T.17S., R.49E., M.D.M. 49 acres total. Refer to the map supporting Permit 64369**
8. Existing place of use **four acres in NE.¼ NW.¼ of Section 2, T.17S., R.49E., M.D.M. From the point of diversion South 900 feet, thence West 193.6 feet thence North 900 feet thence East 193.6 feet. Refer to the map supporting Permit 64369**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **An existing 16" dia. X 249' deep driven well, cased, with a 2 hp. submersible pump, also a drip irrigation system**
12. Estimated cost of works **\$25,000**
13. Estimated time required to construct works **1 year, presently completed, as in item 11**
14. Estimated time required to complete the application of water to beneficial use **2 years**
15. Remarks: **This "Change in Manner of Use & Place of Use" is needed because seedling nursery trees are being planted which will have a lower duty of water than the present 4 acre place of use will accommodate. These trees are to be removed and replaced on a periodic basis.**

By **Lisle Lowe**
s/Lisle Lowe (Agent)
HCR. 69, Box 400E
Amargosa Valley, Nv, 89020

Compared cmf/cac lb/CMF

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the manner of use and place of use of the waters of an underground source as heretofore granted under Permit 64369 is issued subject to the terms and conditions imposed in said Permit 64369 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0778 cubic feet per second, but not to exceed 20 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

August 18, 2005

Proof of the application of water to beneficial use shall be filed on or before:

September 18, 2005

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 18th day of August, A.D. 2003


State Engineer

Completion of work filed June 25, 2001 under 64369

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____